### SPECIAL ORDINANCE NO. S- 310-90

AN ORDINANCE approving the awarding of Reference #963 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and JONES Department of Purchasing and JONES CHEMICALS, INC. for the Water Pollution Control Plant.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #963 between the City of Fort Wayne, by and through its Department of Purchasing and JONES CHEMICALS, INC. for the Water Pollution Control Plant, respectfully for:

> the purchase of liquid chlorine during 1991 for the Water Pollution Control Plant:

involving a total cost of Thirty-Seven Thousand Nine Hundred Ninety-Nine and 50/100+/- (\$37,999.50), all as particularly set forth in said Reference #963 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

councilmember

112/1

APPROVED AS TO FORM AND LEGALITY

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Timothy McCaulay, etty Attorney 28

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REF. NO.: 963

DEPT.: WPC PLANT

DATE: 11/14/90

ITEM/SERV.: LIQUID CHLORINE

PURCHASING INFORMATION

ADVERTISED BID: YES

DATES ADVERTISED: 10/5/90 & 10/12/90

OPENING DATE: 11/1/90

WRITTEN QUOTE:

DUE DATE:

VERBAL QUOTE:

SINGLE SOURCE:

NO. OF VENDORS NOTIFIED: 9

NO. OF VENDORS RECEIVING BID: 5

NO. OF VENDORS RETURNING BID: 3

NO. OF VENDORS DISQUALIFIED: 0

NO. OF VENDORS NOT RESPONDING: 6

DATE SENT TO DEPT FOR RECOMM.: 11/1/90

DATE RECOMMENDATION REC'D IN PURCH: 11/14/90

COUNCIL INFORMATION DATES SENT EXTENSION DATES

DATE INFO SENT TO LAW DEPT.: 11/14/90

INTRODUCTION DATE: 11/27/90

DISCUSSION DATE: 12/4/90

PASSAGE DATE: 12/11/90

ORDINANCE NO .:

REFERENCE NO. 963 LIQUID CHLORINE WPC PLANT

 DESCRIPTION
 QTY
 ULRICH
 HVC INC
 JONES CHEMICAL

 PER POUND
 1034000
 \$0.06315
 \$65,297.10
 \$0.07040
 \$72,793.60
 \$0.03675
 \$37,999.5

 PER TON
 517
 \$126.30
 \$65,297.10
 \$140.83
 \$72,809.11
 \$73.50
 \$37,999.5

 DEMURRAGE
 \$50.00
 \$50.00
 \$50.00
 \$50.00

 DELIVERY TIME
 2 WEEKS
 10-14 DYS
 10-14 DYS

DEMURRAGE FOR ALL VENDORS IS \$50.00 PER DAY AFTER 120 DAYS

# FRONT PAGE/INVITATION TO BID DEPARTMENT OF PURCHASING CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA ONE MAIN STREET - ROOM 350 PHONE 219-427-1101

BID OPENING DATE 11-1	-90 @ 11:00 AM BID REFERENCE # 963
	DELIVERED TO DEPARTMENT OF PURCHASING, ROOM DING UP TO 11:00 A.M. ON OR BEFORE OPENING
WORKS & SAFETY CONFER	ENED-PUBLICLY AT 11:01 A.M. IN THE BOARD OF ENCE ROOM ON THE THIRD FLOOR OF THE CITY-LATE BIDS WILL BE ACCEPTED AFTER SON WHATSOEVER".
	D IS FOR LIQUID CHLORINE IN BULK DELIVERY
FOR THE WATER POLLUTI	ON CONTROL PLANT IN FT WAYNE IN PER SPECIFICAT
AND REQUESTED BYWA	TER POLLUTION CONTROL PLANT
THIS BID REQUIRES A CASHIER'S CHECK OF ALL	XXXXX \$500.00 BID BOND, CERTIFIED OR BIDDERS.
THIS BID REQUIRES A	100% PERFORMANCE BOND OF SUCCESSFUL
PROMPT PAYMENT DISCOUN	TS WILL BE ALLOWED AS FOLLOWS:% DAYS.
THIS INVITATION IS ISS CITY OF FORT WAYNE WIT ACCOMPANYING SPECIFICA	SUED TO ESTABLISH A CONTRACT TO SUPPLY THE H A COMMODITY OR SERVICE IN ACCORDANCE WITH TIONS.
CONDITIONS HERETN AND	Y THE BIDDER IS ACCEPTANCE OF ALL TERMS AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND O THE AMOUNT OF HIS/HER BID FOR A PERIOD OF
	RM NAME JONES CHEMICALS, INC.
ST	REET ADDRESS 600 BETHEL AVENUE
CI	TY BEECH GROVE, IN PHONE # 317-787-8381  VERNON CATT, BR.MGR.
<b>B</b> 1.	REPRESENTATIVE SIGNATURE

#### CITY OF FORT WAYNE LIQUID CHLORINE REQUIREMENTS

THE CITY OF FORT WAYNE, INDIANA, IS REQUESTING BIDS FOR THE PURCHASE OF LIQUID CHLORINE FOR THE WATER POLLUTION CONTROL PLANT.

FURNISH IN BULK DELIVERIES BY RAILCAR TO THE WATER POLLUTION CONTROL PLANT, 2601 DWENGER AVENUE, FORT WAYNE, IN. DELIVERY TO BE MADE VIA NORFOLK & WESTERN RAILROAD TO THE WPC PLANT SIDE TRACK.

PRICES BID MUST BE EXACT AND HELD FIRM THROUGH THE TERM OF THE AGREEMENT.

THE ANNUAL REQUIREMENTS FOR LIQUID CHLORINE IS ESTIMATED AT 350,000 POUNDS. ACTUAL QUANTITIES PURCHASED MAY BE MORE OR LESS. 90 DAYS DEMURRAGE ON TANK RAILCAR FOR UNLOADING OF LIQUID CHLORINE.

TERM OF AGREEMENT: FROM TIME OF AWARD THRU 12-31-91
NOTE: ALL PRICES BID MUST INCLUDE FREIGHT CHARGES. NO DEMURRAGE TO BE CHARGED UNTIL AFTER 90 DAYS.
PRICE PER POUND INCLUDE FREIGHT: \$ .03675
PRICE PER TON INCLUDE FREIGHT: \$ 73,50
DEMURRAGE AFTER 90 DAYS: 120 DAYS FREE AND \$50.00/DAY THEREAFTER
DELIVERY TIME ARO: 10-14 DAYS

### BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5) (Please type or print)

	•							
			Date: 0	CTOBER 10	, 1990			
	Governmental Unit:	City of For	t Wayne, I	ndiana				
	Countys	Allen						
3.	Biddor (Firm):	Jones Chemi	cals, Inc.					
	Address: City/State:	600 Bethel	Avenue					
4.	Telephone Number:	Beech Grove	IN 46107	017 707 6	0.01			
	Agent of Bidder (If			<u>317–787–8</u>	381			
	to notices given, the n accordance with the tity, unit, unit pri			cify the clas	s or Item num	_ (Gov-		
he has not offered said bid. Bidder certified check or	act will be awarded a items specified wi a nor received a les turther agrees that bond shall be file tract, the bond or c	s price than the pr	rice stated in hi	s bid for the the office is ability for br	Bidder promoterials incommendate in the second shall be second to the second shall be second to the second shall be second sha	ises that		,
				200	Bldder or /	all		
	7 7			vernon Ca	ct, Bran	ch Manage	er	
	- VI	BID OFFER OR	PROPOSAL					
Attach san	arate sheet lieting						2. 1	
Following is an ex	arate sheet listing ample of the bid for	rmat;	on specification	ons published	by governing	hody.		
Class or item	Quantity	Unit	Description	Unit	Price A	nount		
						*		
		HON-COLLUSION /	AFFIDAVIT					
STATE OF INDIANA								
arion county)	SSI	*				1		
entered into any co anyone at such lett and that this bid i	gned bidder or agen ive, or agent of th mbination, collusio ing nor to prevent s made without refe y other person in r	n or agreement with any person from bid	any person rela- ding nor to indu	Thership repre	sented by his ice to be bid	by		
He further	says that no person	or persons, firms,	or corporation	has, have or w	III receive d	Irectly		
or indirectly, any	rebate, fee, glft,	commission or thing	of value on acco	ount of such s	ale.			?
				Jones Che		Inc.		
				Bldd	or (Firm)	M		
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My Commission Expir			Y	acreea	7.11ar	eur h	2	
County of Residence	Johnson			no rai	y roone Pa	tricia L.	. Martin	
			P	tary Public	Printed No	U .		
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There are b							1	
	eing sufficient unot	origated appropriate ornmental Unit) here	ad funds available	e, the contrac	ting authori	ly of		
classes or Items nu	mbered rials stipulated.in	and promises to	pay the undersig	ned bidder up	on delivery ti	ne price		
		said bid,	Dat	101				
Contracting	Authority Hembers:							
-			•					

## INSURANCE COMPANY OF NORTH AMERICA PHILADELPHIA PENNSYLVANIA

Proposal or Bid Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE

JONES CHEMICALS, INC. 600 BETHEL AVENUE BEECH GROVE, IN 46107

as principal, and the INSURANCE COMPANY OF NORTH AMERICA, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, having its principal place of business at Philadelphia, Pa., as surety, are held and firmly bound unto CITY OF FORT WAYNE

DOLLARS, lawful money of the United States of America, for the payment of which, well and truly to be made, we find ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents A. D 15 90 October car of 12th SIGNED, sealed and dated this WHEREAS, the said principal is herewith submitting proposs' for

furnish chlorine in rail car bulk

BID DATE: NOVEMBER 1, 1990

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the aforesaid principal shall be awarded the contract, the said principal will within the period specified therefor, or, if no period be specified, within ten (10) days after the notice of such award enter into a contract and give bond for the faithful performance of the contract, then this obligation shall be null and void, otherwise the principal and the surety will pay unto the obligee the difference in money between the amount of the bid of the said principal and the amount for which the obligee may legally contract with another party to perform the work if the latter amount be in excess of the former; in no event shall the liability hereunder exceed the penal sum hereof.

PROVIDED AND SUBJECT TO THE CONDITION PRECEDENT, that any suits at law or proceedings in equity brought or to be brought against the Surety to recover any claim hereunder must be instituted and service had upon the Surery within ninety (90) days after the acceptance of said bid of the Principal by the Obligee.

JONES CHEMICALS, INC. Vernon Catt, Branch Manager SURANCE COMPANY OF NORTH AMERICA

Vincent Moy, Attorney-in-fact

BS-1946 PRINTED IN U.S.A.

			5	
STATE O	F New York			
	es New York	2.4		
-	OF New York			me personally appeared
On this .	Vincent Moy	to me known who, being by	y me duly swarn, did d	epose and say. That he
		and the last Assessment	a Fact of the INSLIBANI	CE COMPANY OF NORTH
that the seined is Superinten INSURANC on all bon amendator unencumb (\$713.000 Witness (Seal)	MNETTE L. RIVERA ANNETTE L. RIVERA ANNETTE L. RIVERA NOTATION OF THE MINISTRE OF THE MONTH NO. 43-4914252  Qualified in Richmond County Commission Expires April 25, 1990CC	the Board of Directors of said Co- bursuant to Section 327 of the Insi- te that said Company is qualified to antees, as provided in the Insura- it such certificate has not been not liabilities of every nature whats	proporation, and the depo- grance Law of the State of become and be accep- ance Law of the State of revoked, and that the scever, by Seven Hundri	nent saith further that the of New York, issued to the ted as surety or guarantor of New York and an laws assets of said Company, ed Thirteen Mr on Do ars
the office following I RESOLV undertakin and or be att and or office the C (2) Any s attest:  (3) The s may be of the signal (4) Such Committee the C C C C C C C C C C C C C C C C C C C	EMEMBERED, that at a meeting of the Board of Diof the Company, in the City of Philadelphia, Stati Resolution was duly adopted (ED, That pursuant to Articles 3-18 and 5-1 of things, recognizances, contracts and other writings in empression, or any Senior Vice President, any Viniberal of the Company any and all bonds, under ested when necessary by the Corporate Secretains the President, any Senior Vice President, any or (elected or appointed) of the Company, and Attornary and to affix the seal of the Company this company and to affix the seal of the Company this company and to affix the seal of the Company this company and to affix the seal of the Company this company and to affix the seal of the Company this company of the President, or a Senior Vice President of the President, or a Senior Vice President efficiency of the President, or a Senior Vice President and seal shall be valid and binding on the Company may be affixed by facsimile to any centure and seal shall be valid and binding on the Content Officers of the Company, and Attorneys incompany, and any affidavit or record of the Company, and any affidavit or record of the Company.	ne By-Laws the following Rules shin the nature thereof vice President, any Assistant Vice takings, recognizances, contracts by, or any Assistant Corporate Section or any Assistant to orneys-in-Fact to so execute or attered by the shall be as binding upon the dent, or a Vice President or an Assistant to an Assistant or a Vice President or an Assistant to the shall be as binding upon the dent, or a Vice President or an Assistant or a Vice President or a Vice President or an Assistant or a Vice President or a V	President, or any Attorne and other writings in the cretary and the seal of the vice President may appotest to the execution of a e. Company as though session vice President are and the signature of a clary such power or centility.	for the Company of bonds, ay-in-Fact, may execute for nature thereof, the same to e Company, affixed thereto, intrand authorize any other ill such writings on behalf of igned by the President and the sear of the Company enfiring Officer and the sear care bearing such facsimile solution, the By Laws of the
	Elnancial S	tatement December 31	, 1989	

Admitted Assets		Liabilities \$ 767.198.949
Short-Term investments Stocks Real Estate Cash on Hand and in Bank	\$1,844,727,020 246,541,385 682,229,742 10,744,657 121,580,651 227,152,902	Reserve for Unearned Premiums       \$ 767,198,949         Reserve for Losses       3,049,524,328         Reserve for Taxes       10,868,346         Funds Held Under Reinsurance Treaties       2,023,015         Other Liabilities       362,612,280         TOTAL LIABILITIES       4,192,226,918
Premium in Course of Collection*	50,774,199	Capital: 11.357,109 Shares, \$5 per value 672,848,981
TOTAL ASSETS	\$5,026,999,285	Capitel: Paid In 105,337,838 Surplus (Unassigned) 634,772,364
		TOTAL \$5,026,999,282

(\*Excludes premiums more than 90 days due )

Vincent Moy

has been appointed Attorney-in-Fact of the INSURANCE COMPANY OF NORTH AVER CA at \_\_New York that said appointment is in full force and effect as of the date hereof, that said appointment was made under and ci, authorit, of the that said appointment is in full force and effect as of the date hereof, that said appointment was made under and click at the foregoing Resolution, or one of the aforementioned earlier Resolutions, which said Resolution has been compared by me with the original thereof as recorded in the minute book of said Company and is a true and correct transpript thereof and is in full force and effect, and that the foregoing is a true and correct statement of the financial condition of the said Company, as of December 31, 1988.

12th day, of Optobor 19, 20

October 19 90



Know all men by these presents: That INSURANCE COMPANY OF NORTH AMERICA, a corporation of the Commonwealth of Pennsylvania, having its principal office in the City of Philadelphia, Pennsylvania, pursuant to the following Resolution, which was adopted by the Board of Directors of the said Company on December 5, 1983, to wit:

"RESOLVED, That pursuant to Articles 3.18 and 5.1 of the By-Laws, the following Rules shall govern the execution for the Company of bonds, undertakings, recognizances, contracts and other That the President, any Senior Vice-President, any Vice-President, any Vice-President, any Assistant Vice-President, or any Attorney-in-Fact, may execute for and on behalf of the Company any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof, the same to be attested when necessary by the Corporate Secretary, or any Assistant Corporate Secretary, and the seal of the Company affixed thereto; and that the President, any Senior Vice-President or any Assistant Vice-President may appoint and authorize any other Officer (elected or appointed) of the Company, and Attorneys-in-Fact to ac execute or attest to the execution of all such writings on behalf of the Company and to affix the seal of the Company thereto. (2) Any such writing executed in accordance with these Rules shall be as binding upon the Company in any case as though signed by the President and attested to by the Corporate Secretary. The signature of the President, or a Senior Vice President, or a Vice President, or a Assistant Vice President and the seal of the Company may be affixed by facsimite on any power of attorney granted pursuant to this Resolution, and the signature of a certifying Officer and the seal of the Company may be affixed by facsimite to any certificate of any such power, and any such power or certificate bearing such facsimite signature and seal shall be valid and binding on the Company. Such other Officers of the Company, and Attorneys-in-Fact shall have authority to cartify or verify copies of this Resolution, the By-Laws of the Company, and any affidavit or record of the Company necessary to the discharge of their duties. The passage of this Resolution does not revoke any earlier authority granted by Resolutions of the Board of Directors adopted on June 9, 1953, May 28, 1975 and March 23, 1977." does hereby nominate, constitute and appoint HOWARD R. BOYLE, JAMES P. REILLY, ANNETTE L. RIVERA, DEBRA CARNEGIE, JUSTIN C. LARKMAN, PAULA WHITE, JENNIFER C. BOLSTER, and VINCENT MOY, all of the City of New York, State of New York---credit, bank deposit - each individually if there be more than one guarantees. named, its true and lawful attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding FIVE MILLION---DOLLARS (\$ 5.000.000.) each, and the execution of such writings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office. value ō IN WITNESS WHEREOF, the said R. E. Giveans, Vice-President, has hereunto subscribed his name and letter affixed the corporate seal of the said INSURANCE COMPANY OF NORTH AMERICA this residual 19 90 INSURANCE COMPANY OF NORTH AMERICA loan. 0 note. rate R. E. GIVEANS, Vice President COMMONWEALTH OF PENNSYLVANIA COUNTY OF PHILADELPHIA for mortgage, interest A.D. 19.90 before me, a Notary Public of September / day of \_ the Commonwealth of Pennsylvania in and for the County of Philadelphia came R. E. Giveans, Vice-President of the INSURANCE COMPANY OF NORTH AMERICA to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and that the seal affixed to the preceding instrument is the corporate seal of said Company; 0 that the said corporate seal and his signature were duly affixed by the authority and direction of the said corporation, and that Resolution, Fa abouted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TEATHORY CEPEOF, I have hereunto set my hand and affixed my official seal at the City of Philadelphia the day and year valid ency first above white Not WHITH WHITE NOTARIAL SEAL **Notary Public** (SEAL) JOAN'T. CAREY, Notary Public Philadelphia, Philadelphia County My Commission Expires September 14, 1992 SPRANCE COMPANY OF NORTH AMERICA, do nevery certify that the original FOWER OF ATTORNEY, of which the foregoing is a full any appropriect copy, is in full force and effect. In witness whereof, I have hereunto subscribed my name as Secretary, and affixed the corporate seal of the Corporation, this October Secretary James S. Wyllie

THIS POWER OF ATTORNEY MAY NOT BE USED TO EXECUTE ANY BOND WITH AN INCEPTION DATE AFTER SEPT. 14.



City of Fort Wayne
Dept of Purchasing
Room 350 City-County Building
Fort Wayne, IN 46802

Bid Ref. No. 963 Liquid Chlorine in Bulk Delivery

Dear Sir:

Would you please advise the Bid Tabulations as soon as possible.

We are enclosing a self addressed/stamped envelope for your convenience.

Thanking you in advance for your assistance.

Sincerely,

Bradley J. Schultz Branch Manager

VC/cb

Read the first time in full and	on motion by Ourns
seconded by orustally, and title and referred to the committee on	duly adopted, read the second time t
City Plan Commission for recommendation	City ffetites (and the
due legal notice, at the Council Conference Fort Wayne, Indiana, on	ence Room 128, City-County Building.
of, 19	, the , day o'glodky .M., E.S. 7
DATED: 11-27-97	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	SANDRA E. KENNEDY, CITY CLERK
Read the third time in full and	
, ar	nd duly adopted, placed on its
passage. PASSED COST by the follow	wing vote:
AYES NAYS	ABSTAINED ABSENT
TOTAL VOTES	
BRADBURY	
BURNS	
EDMONDS.	
GiaOUINTA	
HENRY -	
LONG .	
REDD	
SCHMIDT	
TALARICO	
	/ //
DATED: /2-11-90.	Sandia F. Lennedy
Passod and adams	SANDRA E. KENNEDY, CITY CLURK
Indiana as (ANNEXE TOWN)	Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPRO	OPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINA	ANCE RESOLUTION NO. 310-90
on the 11th day of Klean	had , 19 50.
ATTEST ATTEST	SEAL
Sandra E. KENNEDY, CITY CLERK	DECEMBER 3 Reco
the 12th	the City of Fort Wayne, Indiana, on
at the hour of 2:00 o'c	, 190
0.00	
	- Sandra E. Lennedy
Approved and signal	SANDRA E. KENNEDY, CITY CLERK
Approved and signed by me this	) I gay of 1/8(cmpor
19 90, at the hour of 2:15	_o'clock _ M., E.S.T.
	1/14/1
	PAUL HELMKE, MAYOR

#### DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 963 for the purchase of liquid chlorine for the Water Pollution Control Plant for 1991. The cost reflects the lowest and most responsive of three (3) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: This is used in the treatment of waste water.

1-90-11-53

EFFECT OF NON-PASSAGE: Would not have the necessary chemicals for sewage treatment which would violate our NPDES permit.

MONIES INVOLVED: Jones Chemical \$37,999.50 +/-

PRICE AGREEMENT: Yes

PURCHASE ORDER:

SOURCE OF FUNDING: WPC Plant 514-533-S154-425A

PRIOR APPROVAL: DATE: (IF APPLICABLE)

BILL	NO.	S-90-11-53
And the shall dead	4.4	

#### REPORT OF THE COMMITTEE ON CITY UTILITIES

## PAUL M. BURNS, CHAIRMAN MARK E. GiaQUINTA, VICE CHAIRMAN HENRY, LONG, TALARICO

REFERRED AN (ORD awarding of Refe	INANCE) (XXXXXX rence #963 by the	City of Fort	ving the Wayne, Indiana
oy and through 1	ts Department of P er Pollution Contr	urchasing and	JONES CHEMICA
HAVE HAD SAID (O AND BEG LEAVE TO	RDINANCE) (RESO REPORT BACK TO TH	LUTION) UNDE E COMMON COUN	R CONSIDERATIO
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(ORDINANCE)  OO PASS  Mark Charley  Mark Charley		ABSTAIN	NO REC

DATED: 12-11-90.